



BABST | CALLAND | CLEMENTS | ZOMNIR  
A PROFESSIONAL CORPORATION

BLAINE A. LUCAS  
Attorney at Law  
T 412.394.5657

November 14, 2007

blucas@bccz.com

**VIA ELECTRONIC MAIL**

Chatham County Board of Commissioners  
c/o Keith Megginson, Planning Director  
80-A East Street  
P. O. Box 54  
Pittsboro, NC 27312

Dear Members of the Board:

As you are aware, this law firm represents Southern Wood Piedmont Company ("SWP"). By prior correspondence, dated November 1, 2007, we wrote to you and the Chatham County Planning Board to express SWP's concerns with the proposed RA-40 Residential Agricultural District highway corridor zoning map. In that correspondence, we addressed the potential adverse impacts on all of SWP's tax parcels generally, as well as the specific impact upon Parcel No. 9869 (the "Main Gulf Facility") occasioned by the split zoning of that tract.

We understand that consideration of the RA-40 District zoning map is on the Board of Commissioners' agenda for this coming Monday, November 19<sup>th</sup>. With respect to the split-zoning of the Main Gulf Facility, we are pleased to see that the County Planning Department has recommended that that tract be excluded completely from the RA-40 District, thus eliminating the split-zoning problem discussed in my prior correspondence.

However, SWP asks that the Board of Commissioners also give consideration to excluding SWP's Parcel No. 71765 from the RA-40 District. That tract, consisting of 3.95 acres, is located immediately south of R. Jordan Road. For purposes of SWP's ongoing remediation efforts, Parcel No. 71765 is included within the parameters of the 2001 Administrative Order on Consent with the North Carolina Department of Environment and Natural Resources. Significantly, one of the terms of the remediation plan for both the Main Gulf Facility as well as Parcel No. 71765 is the requirement that restrictive covenants be recorded precluding the use of those properties for residential purposes. Obviously, placing a residential zoning district designation on Parcel No. 71765 would have the potential to effectively preclude the use of that tract for any purpose whatsoever. Accordingly, to avoid this hardship, SWP respectfully requests that the proposed RA-40 District zoning map be modified to exclude Parcel No. 71765.

Thank you for your consideration of this request.

Yours very truly,

Blaine A. Lucas

BAL/dms

cc: William Arrants, Southern Wood Piedmont Company  
Carla Yetter